



General Assembly

Distr.
GENERAL

A/50/504
4 October 1995

ORIGINAL: ENGLISH

Fiftieth session
Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Question of Western Sahara

Report of the Secretary-General

1. On 9 December 1994, the General Assembly adopted, without a vote, resolution 49/44, on the question of Western Sahara. The present report, which covers the period from 18 September 1994 to 30 September 1995, is submitted in pursuance of paragraph 8 of that resolution.
2. The Secretary-General, in close cooperation with the current Chairman of the Organization of African Unity (OAU), has continued to exercise his good offices with the parties concerned.
3. On 5 November 1994, the Secretary-General submitted a report 1/ to the Security Council in which he provided an account of the further efforts which he and his Deputy Special Representative, Mr. Erik Jensen (Malaysia), who has since been confirmed as his Acting Special Representative, had made during the preceding months in order to resolve the issues still standing in the way of the implementation of the Settlement Plan for Western Sahara. 2/
4. In his report, the Secretary-General described the process of identifying potential voters since its start on 28 August 1994, as well as the logistic and other difficulties experienced by the United Nations Mission for the Referendum in Western Sahara (MINURSO) in trying to accelerate its pace. On 25 October, the deadline set for the submission of applications, MINURSO received a flood of completed forms, which exceeded the number previously submitted. By then, only about 50,000 (about 21 per cent of the total) had been computerized and analysed. The Secretary-General recalled his earlier intention to recommend to the Security Council that the transitional period should start on 1 October 1994 and that the referendum should take place on 14 February 1995. 3/ However, it



was clear that many months would be required to make sufficient progress in the identification process to be close to determining a date for the referendum. The Secretary-General informed the Council that he would report further on the organization and timing of the referendum after the consultations he intended to hold during his visit to the area in November.

5. In a statement by its President on 15 November, 4/ the Security Council welcomed the Secretary-General's decision to visit the region and expressed the hope that, on that occasion, he would be able to report significant progress towards implementing the Settlement Plan and holding the referendum.

6. In his report dated 14 December, 5/ the Secretary-General informed the Security Council about his consultations held during his visit to the mission area from 25 to 29 November. He was accompanied throughout the visit by his Acting Special Representative. At Algiers, he was received by the State President, Mr. Liamine Zeroual. He also held meetings with Mr. Abdelkader Bensalah, President of the National Transition Council; Mr. Mokdad Sifi, Head of Government; Mr. Mohamed Salah Dembri, Minister for Foreign Affairs; Mr. Ramtane Lamamra, Permanent Representative of Algeria to the United Nations; and other senior officials of the Government of Algeria.

7. At all those meetings, the Secretary-General stressed the urgency of reaching an early settlement and sought Algeria's continued cooperation. The authorities reassured him of their firm support for the activities of the United Nations in Western Sahara and reaffirmed their preparedness to provide all necessary assistance in his efforts. They stressed, in particular, the need for the parties to adhere strictly to the provisions of the Settlement Plan, which they considered essential for the credibility of the referendum.

8. At Smara refugee camp near Tindouf, which he visited on 27 November, the Secretary-General met with Mr. Mohamed Abdelaziz, Secretary-General of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO); Mr. Bachir Mustafa Sayed, Deputy Secretary-General of the Frente POLISARIO and its Coordinator with MINURSO; Mr. Bukhari Ahmed, representative of the Frente POLISARIO in New York; and other senior POLISARIO officials. Issues discussed included the process leading to the referendum; the Security Council's position on the issue; increasing the number of identification centres and personnel; various other aspects of the Mission's work; and the cooperation of both parties with the Acting Special Representative. The POLISARIO leaders expressed concern about certain developments since the beginning of the identification and registration process that they viewed as impediments to the smooth implementation of the Settlement Plan and the conduct of a free, fair and impartial referendum. They indicated that, while they continued to believe that direct dialogue would be useful, they would not make it a prerequisite for the continuation of the peace process in conformity with the Plan.

9. Addressing the main concern of the Frente POLISARIO - the large number of application forms submitted at the last minute - the Secretary-General pointed out that the Identification Commission was an independent body whose members, he was confident, would carry out their mandate with impartiality, fairness and integrity. He urged the Frente POLISARIO leaders to continue to cooperate with the Acting Special Representative and MINURSO so as to facilitate rapid progress

in the implementation of the Plan. He made it clear, however, that ultimately the continued involvement of the United Nations would depend on the demonstrated political will of the parties.

10. At Rabat, where he arrived after a visit to MINURSO headquarters at Laayoune, the Secretary-General was received by His Majesty King Hassan II of Morocco. He also held meetings with Mr. Abdelatif Filali, Prime Minister and Minister for Foreign Affairs and Cooperation; Mr. Driss Basri, Minister of the Interior and Information; Mr. Ahmed Snoussi, Permanent Representative of Morocco to the United Nations; and other senior officials of the Government of Morocco. A wide range of issues relating to the implementation of the Settlement Plan were discussed. These included the referendum; progress achieved so far in identification and registration, and measures required to accelerate the pace of the process; the cooperation of both parties with MINURSO and the Acting Special Representative; and the position and expectations of the Security Council regarding the process leading to the holding of the referendum.

11. The Secretary-General was reassured that Morocco remained fully committed to the Settlement Plan and would continue to provide all assistance required for his efforts to implement it. The Moroccan authorities further pledged continued support for the activities of MINURSO and the efforts of his Acting Special Representative.

12. The Security Council was further informed that the four identification teams working at Laayoune and Tindouf (two at each centre) had achieved a weekly output of 1,000 potential voters interviewed and identified. In order to complete the work within a reasonable time-frame, an estimated 25 teams working simultaneously would be required. Consultations had started with the parties regarding the location, equipping and opening of additional centres. The preliminary cost estimates for the further expansion of the Identification Commission were contained in an addendum to the 14 December report. 6/

13. The Secretary-General concluded his report with the hope that, by 31 March 1995, progress achieved in the identification process would have reached a level that would enable him to recommend 1 June 1995 as the date (D-day) for the start of the transitional period, with a view to holding the referendum in October 1995.

14. On 13 January, the Security Council adopted resolution 973 (1995) in which the Council approved the expansion of MINURSO as proposed in the Secretary-General's report of 14 December. It also requested the Secretary-General to report by 31 March on arrangements with regard to the logistic, personnel and other resources required for the deployment of MINURSO at full strength and on his final plan for implementing all elements of the Settlement Plan. The mandate of MINURSO was extended until 31 May 1995, with the possibility of a further extension on the basis of a further report by the Secretary-General at that time.

15. In pursuance of that resolution, the Secretary-General submitted a report to the Council on 30 March. 7/ The Council was informed that seven identification centres were operating in the Territory and the Tindouf area, and that arrangements had been completed to establish an eighth centre (four on each

side). The Government of Spain had forwarded important archival documents to the Acting Special Representative, at his request. Those documents had been classified by MINURSO and were proving of considerable value as aids to identification, especially for doubtful cases. The attention of the Council was drawn to the complexity of the identification of potential voters. As had been agreed, it could only take place when two tribal leaders (sheikhs), one from each side, were present to testify. The representatives of the two parties and an observer of OAU were also expected to attend. Problems arose when one of the parties had difficulties in making its sheikh available on time. Moreover, both sides' earlier insistence on strict reciprocity meant that whenever, for whatever reason, identification could not take place at a centre on one side, work was automatically suspended at a centre on the other.

16. The Secretary-General recalled that, from the start, the single greatest obstacle to identification had been the issue of tribal leaders. The Settlement Plan gave tribal leaders the responsibility for identifying applicants as being the persons they claimed to be and as belonging to a particular tribal group (subfraction); the sheikhs were also to provide oral testimony relevant to the eligibility criteria. Most sheikhs, elected as they were in 1973, were already of mature years at that time and many had since died or become incapacitated. As a result, one third of the tribal subfractions were without a recognized tribal leader on at least one side.

17. In the summer of 1994, the two parties agreed to the proposal of the Acting Special Representative that the process should start with those subfractions where there was a surviving and competent sheikh on each side. With regard to the other cases, the views of the two parties diverged markedly. The Frente POLISARIO argued that to avoid any subsequent manipulation of the selection of sheikhs, only those elected in the Territory in 1973, or their eldest sons, should be eligible to testify. Morocco opposed the view that the 1973 election of sheikhs under Spanish rule was the only one ever held in the Territory, that sheikhs were traditionally coopted and not elected, that not all Saharan sheikhs were necessarily in the Territory in 1973 and that those elected in 1973 might subsequently have been replaced by others, since their term of office was to last only five years.

18. A measure of convergence then began to emerge. On 10 February, the Acting Special Representative submitted a detailed proposal to the two parties: a surviving sheikh from the 1973 election was to be preferred; then his eldest surviving son; then a candidate from the election of 1973, normally by descending number of votes received; and failing that, the party would put forward three names from which the Chairman of the Identification Commission would select one, after consultation with the other party. The three names were to be of persons from the subfraction concerned, of recognized standing in their community, of appropriate age, without any official position and themselves included in the census lists of 1974. Attached to the proposal was a list of all 88 tribal subfractions included in the 1974 census and such information as was available to MINURSO concerning the sheikhs, sons of sheikhs and non-elected candidates from the 1973 election; in the 29 cases where no such person was known, a blank space was left for the three names to be provided by the parties.

19. In their written response dated 13 February, the Moroccan authorities maintained that there had been no prior commitment on their part to certain of the limitations, but they took note of further clarification offered in writing by the Acting Special Representative on 18 February. On 23 February, the Moroccan authorities provided detailed statistical information concerning the whereabouts of all members of the subfractions listed as residents in the Territory. They also undertook to make available names of candidates to replace sheikhs as required. On 26 February, the Frente POLISARIO also submitted a written response, reiterating certain concerns and returning the list of subfractions completed with the names of persons to be considered as replacements in the absence of sheikhs.

20. Recalling the other aspects of the Settlement Plan, the Secretary-General reported that the Commander of the Royal Moroccan Armed Forces in the southern zone, Major-General Abdelaziz Bennani, had assured the Acting Special Representative of Morocco's preparedness to implement fully the provisions of the Plan relating to the reduction of Moroccan troops in the Territory, once D-Day and the start of the transitional period had been determined. Preliminary consultations on the confinement of POLISARIO troops had been initiated. Mr. Emmanuel Roucounas (Greece), a prominent international jurist, had been appointed as the independent jurist, to ensure the release of all Saharan political prisoners and detainees. The International Committee of the Red Cross (ICRC) had stated that it was ready to start working on the release of prisoners of war as soon as the parties were ready to do so. With respect to the draft code of conduct, which had been submitted to the parties on 13 December 1994, the Secretariat received detailed comments and proposals from the Frente POLISARIO on 31 January and from the Government of Morocco on 15 February. The replies reflected major differences between the two sides, which the Secretariat was attempting to reconcile. Regarding the repatriation of refugees, other Western Saharans and members of the Frente POLISARIO entitled to vote, a technical team of the Office of the United Nations High Commissioner for Refugees (UNHCR) visited the mission area from 2 to 15 February in order to review the plans for the operation.

21. The Secretary-General indicated in paragraph 51 of his report that progress achieved thus far did not enable him to recommend 1 June 1995 as the date (D-Day) for the start of the transitional period. If, however, the parties made it possible to raise the rate of identification to 25,000 per month, and if they cooperated in resolving expeditiously the remaining issues in the Settlement Plan, it could be envisaged that the transitional period could begin in August 1995 and the referendum be held in January 1996.

22. In pursuance of resolution 973 (1995) of the Security Council and a statement by its President dated 12 April, 8/ the Secretary-General submitted a report to the Council on 19 May. 9/ He recalled that despite the increased operational capabilities, the rate of identification had been uneven. The operation had been interrupted periodically by difficulties relating to the timely availability of sheikhs and party representatives, and to weather conditions and logistics. Although the Acting Special Representative had proposed to the parties a formula for dealing with cases where there was no sheikh available, difficulties had arisen in the interpretation and

implementation of certain points of the agreement. At the end of April, identification had therefore been taking place at only three centres.

23. In late April, the Acting Special Representative held a series of consultations with the parties to address their concerns. Both sides agreed to his proposals and, as a result, the identification operation was resumed at all eight centres on 2 May. During the period since the Secretary-General's previous report, ^{7/} the parties had not entirely abandoned their insistence on reciprocity in the operation of the centres on both sides, or their attachment to a maximum of 150 persons to be identified daily at any given centre. After additional resources had been made available since the adoption of Security Council resolution 973 (1995), MINURSO had been able on occasions to identify 800 to 900 persons in one day, which confirmed that a rate of 1,000 a day was technically feasible.

24. While noting the difficulties encountered as a result of the complexity and sensitivity of the identification process, the Secretary-General pointed out that during the 10 months since the start of the identification, barriers that had seemed insurmountable had been overcome and much had been achieved that now seemed irreversible. Reiterating that the process could not be brought to a successful conclusion without the full cooperation of the parties, he called upon them once again to work with MINURSO in a spirit of genuine cooperation. He asked the Security Council for an extension of the mandate of MINURSO for a period of four months and set a number of benchmarks for the coming months that would enable the Council to assess the parties' willingness to press ahead with the implementation of the Plan. By the end of September, he would assess all the progress achieved and, on that basis, would make recommendations to the Council for the fulfilment of the United Nations mandate in Western Sahara.

25. In its resolution 995 (1995) of 26 May, the Security Council decided to send a mission of the Council to the region and to extend the mandate of MINURSO until 30 June, pending the findings and recommendations of its mission. The six-member Council delegation visited Rabat, Algiers, Tindouf, Laayoune and Nouakchott from 3 to 9 June. Its objective was to impress upon the parties the necessity of fully cooperating with MINURSO in the implementation of all aspects of the Settlement Plan, to assess progress and identify problems in the identification process, and to identify problems in other areas relevant to the fulfilment of the Plan.

26. On 21 June, the Security Council received the report of its mission. ^{10/} On 23 June, the Frente POLISARIO informed the President of the Security Council that it was suspending its participation in the identification and withdrawing its observers. ^{11/} This was in protest against the sentencing by a Moroccan military tribunal on 21 June of eight Saharans to prison terms of 15 to 20 years for having participated in a demonstration in Laayoune on 11 May, and the announcement by Morocco to the Council mission of its intention to present for identification 100,000 applicants residing outside the Territory. In response, Prime Minister Filali addressed a letter to the President of the Security Council on 26 June, ^{12/} in which he stated that Morocco could not accept an indefinite postponement of the referendum and called upon the Council to take all necessary steps to ensure the resumption of the process with a view to holding the referendum on schedule.

27. Having considered the report of its mission, 10/ including recommendations for moving forward on the identification process and other aspects of the Settlement Plan, the Security Council adopted resolution 1002 (1995) on 30 June. The mandate of MINURSO was extended until 30 September 1995 as recommended by the Secretary-General in his report of 19 May, 9/ and the Council requested the Secretary-General to make every effort to persuade the parties to resume their participation in the implementation of the Plan.

28. The Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples considered the question of Western Sahara on 10 and 14 July. During its consideration of the question, the Special Committee had before it a working paper containing information on developments concerning the Territory. 13/ The Special Committee decided to transmit the relevant documentation to the General Assembly.

29. On 12 July, Frente POLISARIO Secretary-General Abdelaziz addressed a letter 14/ to the President of the Security Council and to the Secretary-General in which he confirmed the Frente POLISARIO's agreement to resume its participation, after a Moroccan royal edict of 9 July had reduced the 21 June prison sentence to one year. In the same letter, he reiterated the view of the Frente POLISARIO that the 1974 Spanish census constituted the only basis recognized in the Settlement Plan as accepted by the two parties and endorsed by the United Nations and deemed unacceptable what he termed the participation of a substitute population, sought by the occupying Power, whose most recent manoeuvre was to attempt to include 100,000 of its nationals in the voters list. The identification operation recommenced in late July, after the details concerning its resumption had been clarified and practical measures taken to reopen the centres.

30. In pursuance of Security Council resolution 1002 (1995), the Secretary-General submitted a report to the Council on 8 September. 15/ He indicated that a total of 53,000 applicants had been identified since the process began one year before. Since his previous report, 9/ the Moroccan authorities had reiterated their wish to proceed as expeditiously as possible in completing the process. They had agreed to conduct preliminary vetting of the 100,000 applicants residing outside the Territory, as called for by the Council mission in its report. 10/ In a letter dated 23 August to the Secretary-General, Prime Minister Filali also reiterated Morocco's conviction that all applicants should be treated equally, irrespective of their place of residence and the criterion under which they applied.

31. The Council was informed that the Frente POLISARIO had decided not to participate in the identification of the 100,000 applicants residing outside the Territory, many of whom were members of the "Tribus del Norte", "Costeras y del Sur" and "Chorfa" groupings. From among these, the Frente POLISARIO rejected three groups as in no sense "belonging to the Territory". With respect to other groups, while not contesting the right of their members who were included in the 1974 census to be identified, the Frente POLISARIO agreed to participate in their identification only on the assumption that their number would be modest and the individuals would be identified by one sheikh from each side.

32. The Secretary-General noted that, were the parties to cooperate fully, identification in three of the four centres in the Territory (except Laayoune) and all four refugee camps could be completed in five weeks. There would then remain, in addition to Laayoune, those individuals belonging to an assortment of tribal groups widely dispersed and thinly represented in any one place in the Territory or in the camps. MINURSO had an obligation to consider all applications that had been correctly submitted. Bringing a person to be identified did not prejudice the decision.

33. The Secretary-General also noted that, technically, there would be no obstacle to organizing identification sessions in various places within or outside the Territory, wherever the bulk of the applicants resided. The practice could continue of calling on two sheikhs from the tribal subgroup concerned, but these would not invariably be drawn one from each side, as had been the practice hitherto. Were identification to take place without the participation of sheikhs from the Frente POLISARIO side, it would be necessary, for the process to have credibility, to insist on the submission of documentary evidence to establish that the individual was indeed a child of a Saharan father and some supporting evidence as to the father's birth in the Territory. The Frente POLISARIO would, of course, be invited to observe the proceedings and to submit its observations in accordance with the agreed procedures. OAU should also be represented and the presence of its observers would be an important element. If such a programme could be implemented, the identification of persons living outside as well as those from the camps and the Territory could be completed in approximately four months.

34. The Security Council was further informed that as at 31 August the military component of MINURSO, headed by the Force Commander, Brigadier-General André Van Baelen (Belgium), totalled 285 personnel, comprising 237 military observers and 48 military support personnel. Pending the fulfilment of the conditions necessary for the commencement of the transitional period, the military mandate of MINURSO remained restricted to monitoring and verifying the cease-fire, which came into effect on 6 September 1991. During the past year, only a few minor cease-fire violations had been observed, most of which pertained to unauthorized movements by both parties.

35. As at 31 August, the civilian police component of MINURSO totalled 92 officers. Colonel Wolf-Dieter Krampe (Germany) assumed his functions as Civilian Police Commissioner on 13 March, to replace Colonel Jürgen Friedrich Reimann (Germany) who had completed his tour of duty with MINURSO. Colonel Krampe served until 20 August and, pending the designation of his replacement, Lieutenant-Colonel Jan Walmann (Norway) was designated Acting Civilian Police Commissioner. Pending the commencement of the transitional period, the activities of the civilian police component remained linked to those of the Identification Commission. It maintained a 24-hour security presence at the identification centres and provided technical assistance to the Commission, as appropriate.

36. With respect to other aspects relevant to the fulfilment of the Settlement Plan, the Secretary-General informed the Security Council that the benchmarks which in his last report 2/ he had proposed to meet had not been achieved for the most part. Both parties had maintained their respective positions

concerning the confinement of the Frente POLISARIO troops. Both had also objected to the terms of the proposed code of conduct, despite the efforts made by the Secretariat to reconcile their differences.

37. While reiterating the Security Council's warning that the process could not continue indefinitely, the Secretary-General stressed that premature withdrawal of MINURSO would have very grave and far-reaching implications for the parties and the whole subregion and should be avoided, if at all possible. He proposed an extension of the mandate of MINURSO until 31 January 1996, adding that if, by then, the conditions necessary for the start of the transitional period were not in place, he would present the Council with alternative options for consideration, including the possibility of withdrawal of MINURSO.

38. On 22 September, the Security Council adopted resolution 1017 (1995) in which the Council extended the Mission's mandate until 31 January 1996 and noted the Secretary-General's above-stated intention. It also requested the Secretary-General to produce specific and detailed proposals, in close consultation with the parties, to resolve the problems hindering the completion of the identification process, and to report on the outcome of his efforts in that regard by 15 November 1995. He was also requested to report by 15 January on progress achieved towards the implementation of the Settlement Plan, and to state in that report whether or not the transitional period could begin by 31 May 1996.

Notes

- 1/ S/1994/1257.
- 2/ S/21360 and S/22464 and Corr.1.
- 3/ S/1994/819.
- 4/ S/PRST/1994/67.
- 5/ S/1994/1420.
- 6/ S/1994/1420/Add.1.
- 7/ S/1995/240 and Add.1.
- 8/ S/PRST/1995/17.
- 9/ S/1995/404.
- 10/ S/1995/498.
- 11/ See S/1995/524, annex.
- 12/ S/1995/514, annex.
- 13/ A/AC.109/2029 and Add.1.

A/50/504
English
Page 10

14/ S/1995/578, annex.

15/ S/1995/779.



General Assembly

Distr.
GENERAL

A/50/505
4 October 1995

ORIGINAL: ENGLISH

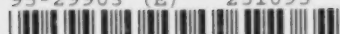
Fiftieth session
Agenda item 112 (a)

HUMAN RIGHTS QUESTIONS: IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS

Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the sixth meeting of persons chairing the human rights treaty bodies, convened pursuant to General Assembly resolution 49/178 of 23 December 1994.



ANNEX

Report of the sixth meeting of persons chairing the
human rights treaty bodies

I. INTRODUCTION

1. Since the adoption of resolution 37/44 on 3 December 1982, the General Assembly has continuously kept under review the problems relating to the effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights. Those problems have also received careful attention during the various sessions of the treaty bodies, at some of the meetings of States parties and at meetings of other organs such as the Economic and Social Council and the Commission on Human Rights.

2. Pursuant to General Assembly resolution 38/117 of 16 December 1983, the Secretary-General convened the first meeting of the persons chairing the bodies entrusted with the consideration of State party reports in August 1984. The report of that meeting was presented to the General Assembly at its thirty-ninth session (A/39/484, annex). The second, third, fourth and fifth meetings were convened by the Secretary-General in October 1988, October 1990, October 1992 and September 1994. The reports of those meetings were presented to the Assembly at its forty-fourth, forty-fifth, forty-seventh and forty-ninth sessions (in the annexes of documents A/44/98, A/45/636, A/47/628 and A/49/537, respectively).

3. In its resolution 49/178 of 23 December 1994, the General Assembly welcomed the submission of the report of the fifth meeting of persons chairing the human rights treaty bodies, held at Geneva from 19 to 23 September 1994, and took note of the conclusions and recommendations in the report; welcomed the continuing efforts by the treaty bodies and the Secretary-General, within their respective spheres of competence, aimed at streamlining, rationalizing and otherwise improving reporting procedures; requested that the Secretary-General take the appropriate steps in order to finance, as of 1995, annual meetings of persons chairing the human rights treaty bodies from the available resources of the regular budget of the United Nations; and decided to continue giving priority consideration, at its fiftieth session, to the conclusions and recommendations of the meetings of persons chairing human rights treaty bodies, in the light of the deliberations of the Commission on Human Rights, under the item entitled "Human rights questions". The Commission on Human Rights, in its resolution 1995/92, welcomed the request by the General Assembly to the Secretary-General to take appropriate steps to finance, as of 1995, annual meetings of persons chairing the human rights treaty bodies from available resources of the regular budget of the United Nations.

4. The sixth meeting of persons chairing the human rights treaty bodies was convened by the Secretary-General pursuant to General Assembly resolution 49/178.

II. ORGANIZATION OF THE MEETING

5. The meeting was held at the United Nations Office at Geneva from 18 to 22 September 1995. The following representatives of the human rights treaty bodies attended: Mr. Philip Alston (Chairperson, Committee on Economic, Social and Cultural Rights), Ms. Akila Belembaogo (Chairperson, Committee on the Rights of the Child), Ms. Ivanka Corti (Chairperson, Committee on the Elimination of Discrimination against Women), Mr. Alexis Dipanda-Mouelle (Chairperson, Committee against Torture), Mr. Omran El Shafei (Vice-Chairperson, Human Rights Committee) and Mr. Ivan Garvalov (Chairperson, Committee on the Elimination of Racial Discrimination).

6. Representatives of the following United Nations bodies and specialized agencies attended the meeting: the United Nations Children's Fund (UNICEF), the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Labour Organization (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Health Organization (WHO). The Council of Europe was represented by the President of the European Commission on Human Rights and a judge of the European Court of Human Rights. The Latin American Institute for the Prevention of Crime and the Treatment of Offenders was also represented. In addition, representatives of the following non-governmental organizations attended: American Association for the Advancement of Science, Amnesty International, Article 19, Association for the Prevention of Torture, Baha'i International Community, International Commission of Jurists, International Women's Rights Action Watch, NGO Group on the Convention of the Rights of the Child, World Organization against Torture/SOS Torture.

7. The agenda for the meeting was as follows:

1. Opening of the meeting.
2. Election of the officers of the meeting.
3. Adoption of the agenda.
4. Organizational and other matters.
5. Review of recent developments relating to the work of the treaty bodies.
6. Improving the operation of the human rights treaty bodies.
7. Gender perspectives in the work of the treaty bodies.
8. Prevention of human rights violations, including early warning and urgent procedures.
9. Assistance to States in implementing Committee recommendations.
10. Adoption of the report.

8. The following documentation was made available to the participants:

- (a) Provisional agenda and annotations (HRI/MC/1995/1);
- (b) Report of the Secretary-General on improving the operation of the human rights treaty bodies (HRI/MC/1995/2);
- (c) Report of the Secretary-General on the status of the international instruments and the general situation of overdue reports (HRI/MC/1994/3);
- (d) Reports of the fourth and fifth meetings of persons chairing the human rights treaty bodies (A/47/628, annex and A/49/537, annex);
- (e) Report by the Committee on the Elimination of Discrimination against Women to the Fourth World Conference on Women (A/CONF.177/7);
- (f) Report of the Main Committee containing the draft Platform for Action of the Fourth World Conference on Women (A/CONF.177/L.5 and addenda and corrigenda);
- (g) Interim report on the updated study by the independent expert on enhancing the long-term effectiveness of the United Nations human rights treaty regime (A/CONF.157/PC/62/Add.11/Rev.1);
- (h) Vienna statement of the international human rights treaty bodies (A/CONF.157/TBB/4 and Add.1);
- (i) Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993 (A/CONF.157/24 (Part I), chap. III);
- (j) Compilation of general comments and general recommendations adopted by human rights treaty bodies (HRI/GEN/1/Rev.1);
- (k) Preparation of a plan of action for a United Nations decade for human rights education: report of the Secretary-General (A/49/261 and Add.1-E/1994/110 and Add.1);
- (l) Report of an expert group meeting on the development of guidelines for the integration of gender perspectives into United Nations human rights activities and programmes, held at Geneva from 3 to 7 July 1995 (to be issued as a United Nations document);
- (m) General Assembly resolution 49/178;
- (n) Commission on Human Rights resolutions 1995/18, 1995/22, 1995/80 and 1995/92.

9. The following informal working documents were also made available to the participants:

/...

- (a) Recommendations for advisory services and technical assistance by treaty bodies: compilation prepared by the Secretariat;
- (b) Actions being taken regarding recommendations made by treaty bodies for advisory services and technical assistance in the field of human rights: compilation prepared by the Secretariat;
- (c) Status of the international human rights instruments: compilation prepared by the Secretariat;
- (d) Status of State party reports to be submitted to the principal international human rights instruments: compilation prepared by the Secretariat;
- (e) Incorporation of a gender perspective into the work of the United Nations human rights regime: working paper prepared by the Secretariat;
- (f) Recommendations on human rights education: note by the Independent Commission on Human Rights Education.

10. The meeting was opened by Mr. Ibrahima Fall, Assistant Secretary-General for Human Rights, who addressed the chairpersons. On 21 September 1995, Mr. Jose Ayala-Lasso, the United Nations High Commissioner for Human Rights, addressed the meeting.

11. Ms. Akila Belembaogo was elected Chairperson-Rapporteur of the meeting.

12. On 22 September 1995, the chairpersons considered the draft report of their sixth meeting. The report, as amended during the course of the meeting, was adopted unanimously by the chairpersons.

III. REVIEW OF DEVELOPMENTS RELATING TO THE WORK OF THE TREATY BODIES

13. Under this agenda item, the chairpersons provided information on recent activities of the treaty bodies they represented. Among other developments, the chairpersons referred to their meeting with the Secretary-General on 19 June 1995 and expressed satisfaction regarding its outcome.

14. Regarding State party reports, it was noted that improvements had been seen in the quality of a number of reports submitted as well as in the methods for the formulation of concluding observations adopted by the treaty bodies following their consideration of those reports. It was also noted that, due to the increasing workload facing the treaty bodies, requests for additional meeting time had been made to the General Assembly by the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women. The Chairperson of the Committee on the Rights of the Child informed the other chairpersons that increased meeting time for the Committee on the Rights of the Child had been approved by the General Assembly in December 1994.

15. The chairpersons discussed developments in the working methods of the treaty bodies to monitor the implementation of their respective treaties by States parties. It was noted that the Committee on the Elimination of Racial Discrimination has had success in encouraging States parties to comply with their reporting obligations through the procedure developed by the Committee to examine the situations in States whose reports were seriously overdue. It was also reported that the Committee on Economic, Social and Cultural Rights had recently begun to examine, on the basis of all available information, the implementation of the International Covenant on Economic, Social and Cultural Rights in States parties that had submitted no reports to the Committee. Participants were also informed that as from 1995, UNICEF, after consultation with the Committee on the Rights of the Child, would make public the extent of compliance with the Convention on the Rights of the Child by States parties in a special chapter of its annual report entitled "The progress of nations".

16. The chairpersons unanimously affirmed the important role of non-governmental organizations in the monitoring function of the treaty bodies. Several chairpersons also reported strengthened cooperation and improved exchanges of information with specialized agencies and various special rapporteurs of the Commission on Human Rights.

IV. SUGGESTIONS AND RECOMMENDATIONS

Improving the operation of the human rights treaty bodies

17. Promotion of the international human rights instruments. The chairpersons welcome the ongoing efforts of the Secretary-General and the United Nations High Commissioner for Human Rights to promote universal ratification of international human rights instruments and, in particular, the preparations for the holding of regional conferences to promote ratification and the drafting of a major study on the matter. They recommend that States which are considering ratification avoid making it subject to wide reservations. The chairpersons deplore the recent increase in the number and breadth of reservations made upon ratification of certain instruments and observe that the practice undermines the spirit and the letter of these legal texts. In this regard they both welcome and endorse the Human Rights Committee's General Comment 24 on the matter. The chairpersons also welcome the initiative of the Secretary-General, pursuant to the Vienna Declaration and Programme of Action, in proposing the preparation of a major study on the extent of reservations and on strategies to promote their withdrawal.

18. The chairpersons have noted with satisfaction the important role played by UNICEF in the promotion of universal ratification of the Convention on the Rights of the Child. They recommend that specialized agencies and international organizations should consider carrying out similar activities with regard to international human rights instruments and they look forward to exploring modalities for such action at their seventh meeting. They recommend that at that meeting a dialogue take place with senior officials of key organizations and agencies, to include, inter alia, the United Nations Development Programme.

19. The chairpersons suggest that those States which have not yet ratified the principal human rights instruments be given assurances that, in case of need, they will be provided with appropriate advisory services in relation to their reporting and other obligations once they become parties to the instruments.

20. The chairpersons draw attention to the importance of the human rights treaty bodies contributing fully to the achievement of the Plan of Action for the United Nations Decade for Human Rights Education. Accordingly, they recommend that each treaty body, in its examination of State Party reports, assiduously investigate compliance by States parties with the extensive obligations regarding education and the provision of public information on human rights in general and concerning the human rights instruments and the proceedings of the treaty bodies in particular. Treaty bodies should, inter alia, inquire as to whether instruments have been translated and disseminated in local languages and whether States parties have put in place satisfactory human rights training programmes for all relevant categories of public officials. The chairpersons also recommend that treaty bodies both further elaborate relevant reporting guidelines or general comments and recommendations, and offer to individual States concrete suggestions and advice on the implementation of the obligations they have assumed regarding education and the provision of public information.

21. Reporting. The chairpersons note with regret that the problems of overdue reports and of severe backlogs in the consideration of reports persist in most of the treaty bodies. They welcome the initiatives taken by various treaty bodies to respond to these problems but warn against solutions resulting in excessively abbreviated or summary consideration of the situation in the respective countries.

22. External relations of treaty bodies. The chairpersons note the failure to involve the treaty bodies, in an appropriate manner, in either the preparations for or the formal negotiations of United Nations world conferences. A recent case in point was the non-involvement of the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child in the preparations for and the negotiations of the recent Fourth World Conference on Women, held in Beijing in September 1995. They request the Secretary-General to provide the seventh meeting of chairpersons with a study which proposes ways and means of establishing an appropriate sui generis status for the treaty bodies in the United Nations system. Such a status would clearly distinguish the treaty bodies from intergovernmental and non-governmental organizations and would enable them to play a full role, befitting their importance, within all future international conferences and vis-à-vis the organs of the United Nations system. They urge the General Assembly to ensure that the relevant treaty bodies will be invited to be fully involved in the ongoing preparations for the forthcoming Habitat II conference and other international conferences dealing with human rights.

23. The chairpersons reiterate the central role which non-governmental organizations play in providing reliable information necessary to the conduct of treaty body activities and recommend that the Secretariat facilitate the exchange of information between treaty bodies and such organizations. The Secretariat is requested to develop a database of national institutions for the

promotion and protection of human rights and of nationally based non-governmental organizations which should be informed of the scheduled consideration of any reports of the country concerned by the treaty bodies. In addition, the Secretariat is requested to issue twice a year, taking account of the exigencies of the various committees, an integrated schedule of all reports expected to be considered by all of the treaty bodies during the relevant period. Such a list should include all appropriate caveats as to possible changes occurring in the schedule.

24. The chairpersons recommend that the human rights treaty bodies take increased cognizance of the related activities of regional human rights mechanisms. In particular, they recommend that modalities of cooperation and of exchange of information be explored by the respective secretariats and that existing databases on the jurisprudence of regional human rights regimes interface with databases to be developed by the United Nations for the human rights treaty bodies. The chairpersons recommend that regional bodies continue to be invited to attend all future meetings of the chairpersons.

25. The chairpersons recommend that human rights treaty bodies increase their cooperation and exchange of information with United Nations non-conventional human rights bodies and mechanisms. The chairpersons suggest that they meet regularly with the chairperson and other officers of the Commission on Human Rights and the Sub-commission on Prevention of Discrimination and Protection of Minorities in order to discuss matters of mutual concern and to further develop strategies for cooperation. Modalities for participation by the chairpersons or their representatives in the annual meetings of the special rapporteurs should be explored.

26. Furthermore, the chairpersons expressed the view that it would be extremely valuable if their meetings with the Secretary-General were to be held on an annual basis.

27. The chairpersons welcome the increased participation of United Nations specialized agencies in the work of some of the human rights treaty bodies, though they observe that there remains considerable potential for an enhancement of such cooperation. The chairpersons recommend that at their seventh meeting they include this matter in their envisaged exchange of views with specialized agencies and United Nations bodies and that high-level officials of the bodies and agencies, including especially the United Nations Children's Fund, the United Nations Development Programme, the United Nations Population Fund, the Office of the United Nations High Commissioner for Refugees, the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and the World Bank, be invited to participate, on a specific date to be notified well in advance, in order to ensure that concrete proposals might be discussed and appropriate arrangements entered into. In advance of that meeting human rights treaty bodies are invited to reflect on and to indicate the optimal models for cooperation with United Nations bodies and specialized agencies.

28. Secretariat support. While welcoming the efforts made by the Centre for Human Rights to ensure adequate funding for the treaty bodies, the chairpersons recommend that the General Assembly consider providing each treaty body with a

budget, to be dispensed from with the approval of the United Nations High Commissioner for Human Rights, for the contracting of special studies, the undertaking of essential missions and other matters associated with their mandates. They are of the view that this initiative would result in economic efficiencies and improve accountability of expenditure.

29. The chairpersons welcome the ongoing support provided to them by the Centre for Human Rights and they acknowledge the range of servicing initiatives which continue to be taken within existing resources. The chairpersons welcome the indication provided by the Secretariat that the country-specific and other information available to each of the treaty bodies will in the future be maintained in an integrated fashion. They emphasize the need to develop the fullest possible databases in this regard and to ensure the ready accessibility of the collection to members of the treaty bodies. The chairpersons, however, express their deep concern at the continuing massive under-resourcing of the Centre for Human Rights which prevents the human rights treaty bodies from adequately carrying out their mandates. Among the persistent problems are under-staffing of the treaty body secretariats, lack of technical expertise and inadequate administrative support.

30. The chairpersons recommend that the General Assembly, the Secretary-General and the United Nations High Commissioner for Human Rights consider the adverse impact upon the reputation of the work and public image of the United Nations that results from the persistent failure to address adequately the problems referred to above. In this regard, during the fiftieth anniversary year of the United Nations, the chairpersons strenuously urge that the work of human rights be restored, in effective practical terms, to the central role in the United Nations which was envisaged for it in the Charter.

31. The chairpersons declare their conviction as to the importance of the integration of the Committee on the Elimination of Discrimination against Women into the mainstream of United Nations system-wide activity through its relocation to the Centre for Human Rights, as they have already stated at their fifth meeting. They accordingly welcome decision 14/II of January 1995 of the Committee on the Elimination of Discrimination against Women which requests the Secretary-General to locate it at Geneva with servicing provided by the Centre. The chairpersons also welcome the Secretary-General's agreement, in principle, to the transfer to the Centre of the responsibility for both the substantive and technical servicing of the Committee, while maintaining a close working relationship with the Division for the Advancement of Women. The chairpersons also note with satisfaction the proposed amendment to article 20 of the Convention on the Elimination of All Forms of Discrimination against Women adopted on 22 May 1995 by the States parties to the Convention, though they express concern regarding the present procedure for ratification which may lead to inordinate delays. The chairpersons recommend that the General Assembly approve this amendment at its fiftieth session.

32. The chairpersons note the slight progress which has been made with regard to the development of appropriate databases and on-line information services at the Centre for Human Rights. They recommend that work proceed speedily and with full regard for the importance of making provision for an efficient flow of information. They urge that arrangements currently under way be assured and

that any necessary exemptions from possible expenditure freezes be authorized. They also recommend that future appeals to Governments for funds be rendered more persuasive through the inclusion of detailed information on the manner in which the funds would be deployed.

33. The chairpersons reiterate their long-standing request that office facilities at the Centre for Human Rights be set aside for use by the 97 members of the various treaty bodies when they are in Geneva.

Gender perspectives in the work of the treaty bodies

34. The chairpersons endorse the following recommendations proposed by an expert group on the integration of gender perspectives into United Nations human rights activities and programmes, which met at Geneva from 3 to 7 July 1995, in line with the recommendations of the Vienna Declaration and Programme of Action:

(a) The treaty bodies shall fully integrate gender perspectives into their presessional and sessional working methods, including identification of issues and preparation of questions for country reviews, general comments, general recommendations, and concluding observations. In particular, the treaty bodies should consider the gender implications of each issue discussed under each of the articles of the respective instruments;

(b) Guidelines for the preparation of reports by States parties should be amended to reflect the necessity of providing specific information on the human rights of women for consideration by the respective committees;

(c) In undertaking investigative procedures, the treaty bodies should make special efforts to elicit information about the situation of women in the area of inquiry;

(d) Treaty bodies should consistently request gender-disaggregated data from States parties and from United Nations specialized agencies and use the data in reviewing country reports;

(e) The treaty bodies should make every effort to exchange information on progress, developments and situations concerning the human rights of women;

(f) In preparing reports of the treaty body sessions, attention should be paid to the use of gender-inclusive language wherever possible.

35. The chairpersons recommend that each treaty body consider how it might most effectively incorporate these proposals into its work practices. The respective chairpersons undertake to report to the seventh meeting of chairpersons on progress made in this regard.

Prevention of human rights violations, including early warning and urgent procedures

36. The chairpersons reiterate that the promotion and protection of all human rights and fundamental freedoms is, as declared in the Vienna Declaration and Programme of Action, a priority objective of the United Nations. In this

regard, the chairpersons encourage treaty bodies to continue their efforts to develop mechanisms for the prevention of gross human rights violations, including early warning and urgent procedures. They consider that coordinated action by human rights treaty bodies in this regard would increase their effectiveness. To this end, they suggest that any action undertaken by one of the treaty bodies be immediately brought to the attention of the other treaty bodies.

37. The chairpersons recommend that treaty bodies increasingly consult United Nations organs and bodies, including special rapporteurs of the Commission on Human Rights and the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, exchanging information and utilizing existing expertise in order to detect and respond appropriately to situations of massive violations of human rights.

Assistance to States in implementing committee recommendations

38. The chairpersons reiterate the importance of appropriate action being taken by relevant United Nations bodies to assist States, through the provision of technical assistance, in implementing recommendations made by treaty bodies. The commitment indicated in this regard by representatives of specialized agencies and organizations participating in the meeting of chairpersons is welcomed and the chairpersons recommend that they, together with the secretariats of the treaty bodies, give priority attention to the development of ongoing programmes in this regard.

39. The potentially important role of the United Nations High Commissioner for Human Rights and the Centre for Human Rights in the implementation of technical assistance recommendations by the treaty bodies is acknowledged. The chairpersons recommend that the High Commissioner and the Centre pay increased attention to such proposals in the advisory services and technical assistance programmes of the Centre.

40. With a view to improving coordination and effectiveness in the human rights activities of the United Nations, the chairpersons recommend that all programmes of human rights technical assistance be planned and implemented with the full cooperation and collaboration of all relevant parties, especially those which benefit from a presence in the country concerned. The chairpersons, for their part, will ensure that the treaty bodies will consult widely in considering recommendations for technical assistance to States parties.



General Assembly

Distr.
GENERALA/50/506
4 October 1995

ORIGINAL: ENGLISH

Fiftieth session
Agenda item 20 (b)

STRENGTHENING OF THE COORDINATION OF HUMANITARIAN AND
DISASTER RELIEF ASSISTANCE OF THE UNITED NATIONS,
INCLUDING SPECIAL ECONOMIC ASSISTANCE: SPECIAL
ECONOMIC ASSISTANCE TO INDIVIDUAL COUNTRIES OR REGIONS

Special assistance to countries receiving
refugees from Rwanda

Report of the Secretary-General

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
I. INTRODUCTION	1 - 2	2
II. GREAT LAKES REGION	3 - 4	2
III. REPUBLIC OF BURUNDI	5 - 13	3
IV. REPUBLIC OF UGANDA	14 - 17	4
V. UNITED REPUBLIC OF TANZANIA	18 - 29	5
VI. REPUBLIC OF ZAIRE	30 - 41	7
VII. CONTRIBUTIONS BY MEMBER STATES	42 - 47	9
VIII. CONCLUDING OBSERVATIONS	48 - 50	10

I. INTRODUCTION

1. The present report is submitted pursuant to General Assembly resolution 49/24 of 2 December 1994 on special assistance to countries receiving refugees from Rwanda. In that resolution, the General Assembly, bearing in mind the serious crisis which had shaken Rwanda to its very foundations, expressed its deep concern about the grave social, economic, health and ecological impact of the massive and unexpected presence of refugees in the neighbouring countries. It commended the Governments of Burundi, Uganda, the United Republic of Tanzania and Zaire for the sacrifices which they had made and for their continuing commitment to do their utmost to assist the refugees from Rwanda, notwithstanding the constraints which their limited resources placed on them, and urged all States, intergovernmental and non-governmental organizations, and international financial and development institutions to provide all financial, technical and material assistance possible with a view to facilitating the restoration of the basic services destroyed in the countries receiving refugees from Rwanda. The present report has been prepared on the basis of information received from United Nations offices in Burundi, Uganda, the United Republic of Tanzania and Zaire by the end of August 1995.

2. Despite progress made to normalize the country, the situation in Rwanda remains fragile. Some 1.8 million Rwandan refugees are still outside the country. Continued insecurity prevents their repatriation and resettlement. The presence of military forces and militia of the former Government among the refugees has intimidated them and poses an external threat to the current Government of Rwanda. These forces have allegedly been rearmed and retrained in neighbouring countries. The forced repatriation of refugees from Zaire to Rwanda and Burundi between 19 and 23 August 1995 attested to the danger and destabilizing effects of such a large presence of refugees close to Rwanda's borders. It is an indication that the neighbouring countries, which have been shouldering a heavy burden by providing asylum to the refugees, have reached a limit.

II. GREAT LAKES REGION

3. The Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region was held at Bujumbura from 12 to 17 February 1995. Organized and chaired jointly by the Organization of African Unity (OAU) and the Office of the United Nations High Commissioner for Refugees (UNHCR), the Conference discussed the issue of assistance to countries receiving refugees from Rwanda. The United Nations Development Programme (UNDP) was requested to hold a round table of donors aimed at tackling the problems of zones that were seriously affected by damage resulting from the presence of refugees and displaced persons within the Great Lakes region, in order to coordinate the necessary action within the framework of an integrated approach.

4. UNDP sent an exploratory mission to the region from 9 April to 23 May 1995. It examined, in particular, the impact of the refugees' presence on the environment, and established that extensive damage had been caused to the ecosystems in areas of the Kivu region of eastern Zaire and the wetlands of the

Kagera River basin in the United Republic of Tanzania. Small projects initiated by UNHCR and the German Technical Assistance Corporation (GTZ) to mitigate the impact of firewood cutting, and another by UNHCR in cooperation with the International Fund for Agricultural Development (IFAD) to repair the damage on the environment, have been overwhelmed by the sheer magnitude of the refugee problem in the region. UNDP has concluded that the environmental dimension of the refugee situation merits and inter-agency assessment to establish long-term needs and assistance to the affected countries.

III. REPUBLIC OF BURUNDI

5. At the time that the Rwandan refugees moved into Burundi, the country had already been suffering the effects of its own October 1993 crisis, with a great number of internally displaced persons, physical damage to the basic service infrastructure, and a crisis of confidence that resulted in a lower level of efficiency in the provision of basic services. Moreover, throughout the past 22 months, Burundi has continued to suffer from inter-ethnic strife and general destabilization, with negative consequences in terms of basic service infrastructure and delivery.

6. The main negative effects of the presence of the Rwandan refugees have been on the schools, where refugees have stayed temporarily pending other arrangements, environmental degradation owing to the high consumption of firewood, and inflation in the economies of the urban centres of Muyinga and Ngozi. Actions by United Nations agencies to alleviate the situation have been taken through specific programmes, addressing the needs of Rwandan refugees and the affected Burundian population.

7. The following measures reflect the response to both the effects of the inflow of approximately 200,000 Rwandan refugees into Burundi, and of the internal crisis in the country.

8. Funds have been provided by UNHCR to assist with reforestation and to reinforce water and sanitation facilities in the hospitals of Kayanza and Ngozi. UNHCR is also actively involved in the rehabilitation of public schools in areas where refugees are living, as well as in the rehabilitation of access roads to the camps. In addition to providing assistance to approximately 200,000 refugees, UNHCR has been assisting 220,000 returnees and displaced persons and 5,000 urban poor. Secondary school and higher education for refugees is also provided, and a repatriation operation of former refugees from and to Rwanda has been implemented. Approximately US\$ 30 million has been raised for these tasks.

9. The United Nations Children's Fund (UNICEF) is providing basic drugs for health centres and has integrated supplementary feeding into health centre activities. Efforts are geared towards reinforcing the existing health network as well as integrating preventive and curative services of health and nutrition. It provides water to the displaced/affected population through a tanker delivery system, is assisting in the rehabilitation of water sources and in the exploitation of new sources, and monitors the quality of the water. It is building latrines and rehabilitating such structures in health centres and schools.

10. Other UNICEF activities include hygiene education and distribution of equipment and disinfectant. In order to strengthen basic education, teacher-training programmes have been developed. The development of a "peace curriculum" has been initiated. Finally, UNICEF identifies and assists 14,000 Burundian unaccompanied children. More than \$10 million has been expended in these efforts.

11. The World Food Programme (WFP) is providing general food distribution to more than 200,000 internally displaced persons as well as 200,000 Rwandan refugees in Burundi and 150,000 Rwandan and Burundian refugees in Zaire. The reduction in regional food availability has led WFP to implement and accelerated reintegration programme for the internally displaced. In addition, its support covers forestry (e.g., plantation and nursery), infrastructure rehabilitation, including houses, schools and public buildings, support to cooperatives, such as income-generating activities, and road rehabilitation.

12. The Food and Agriculture Organization of the United Nations (FAO) has concentrated its efforts on providing displaced persons, returnees and refugees with agricultural tool kits and seeds. In addition, the Organization is involved in reforestation and stock breeding. A total of \$12 million has been allocated for these tasks.

13. The World Health Organization (WHO) is implementing a four-pronged assistance effort, totalling nearly \$3.9 million. Its efforts are focused on strengthening the National Epidemiological Surveillance Network, assisting in the prevention and control of communicable diseases and epidemics, supporting the provision of health services to the most affected provinces, and aiding in the prevention and control of sexually transmitted diseases. It also provides equipment to health centres in certain provinces.

IV. REPUBLIC OF UGANDA

14. The total refugee population in Uganda as at 31 March 1995 was 333,550, of which 6,390 were from Rwanda. The arrival of Rwandan Tutsis dates back to 1961. Before then, Rwandans moved freely between their country and Uganda mainly as immigrant workers providing manual labour. The victory of the Rwanda Patriotic Front (RPF) and the establishment of a new Government in Rwanda in July 1994 prompted Tutsi refugees to return home. At the same time, Rwandan Hutu refugees entered southern Uganda and settled in Oruchinga (5,331) and Nakivale (1,059). These are old refugee settlements that were formerly occupied by Tutsi refugees.

15. As cattle herders, Rwandan refugees live a pastoral life and hence require considerable area for migration in search of food and water for their cattle. The departure of Rwandan refugees has had a pervasive impact on the settlement communities and, to some extent, the community as a whole. The socio-economic impact has been noted in terms of a substantial decrease in the volume of livestock and of agricultural production, as well as in the deterioration in educational and health facilities. In addition, there has been physical damage to the environment in the form of soil erosion, the deteriorating quality of water resources and other environmental consequences.

16. There appear to be few, if any, specific programmes aimed at facilitating the restoration of basic services adversely affected by the influx of Rwandan refugees. However, UNHCR has contributed to the construction of 40 kilometres of new road, the repair of existing roads, the procurement of tools for road construction and the payment of construction staff. WFP has contracted a firm to build a 47 km road between Bunagana and Kisoro. It has also contributed to the maintenance of the Masaka/Kampala road in order to mitigate the damage to the road infrastructure by the frequent utilization of heavy WFP trucks.

17. The Uganda Red Cross plans to integrate health services to be offered to both refugees and the local population. It also has implemented programmes aimed at encouraging the refugees to plant trees around the camps in order to stem the environmental degradation resulting from the construction of refugee shelters.

V. UNITED REPUBLIC OF TANZANIA

18. More than 700,000 refugees entered the United Republic of Tanzania after war erupted in Rwanda in 1994. With coordinated international support and the assistance of the Tanzanian Government, these refugees were processed successfully and settled in refugee camps at the Tanzanian-Rwandan border area. Their presence impacted negatively on the local population and in particular on the area's infrastructure, administrative and managerial resources, and security. The depletion of fuelwood resources and deforestation, the contamination of water resources, the depletion of ground water and surface water, the loss of access to water sources by villagers, and land degradation constitute serious environmental damage to the area. Women and children were especially affected by the depletion of forest resources and the use of limited water resources in terms of water and fuelwood collection. In the social and health fields, the presence of refugees generated concern about the spread of communicable diseases and increased pressure on existing facilities. The prospects of food security were compromised by refugee demands in areas already suffering from declining food production. The large number of refugees and their needs and the limited resources available often led to conflict. In addition to an already declining infrastructure, roadways further depreciated as a result of heavy use in massive relief efforts. The administrative and managerial capacity at the district and regional levels was overstretched. Security costs increased inordinately.

19. While at the height of the Burundi refugee emergency, in December 1993, there were approximately 250,000 to 300,000 Burundian refugees in the Kigoma region, their number declined by the end of June 1995 to about 24,000.

20. On 13 December 1994, high-level delegations representing the Government of the United Republic of Tanzania, 11 bilateral donors, several international organizations, the European Union, United Nations agencies and non-governmental organizations came together, for the first time since the start of the refugee influx, at Dar es Salaam for a donor conference. The Prime Minister of the United Republic of Tanzania outlined the Government's policy on refugees, which stresses the need to encourage their return to countries of origin. The Government also presented its programme for the rehabilitation of refugee-

affected communities in the Kagera region. The programme covered food security, environment, education, health, water and sanitation, infrastructure, and regional administration, all of which were enunciated as Government priorities. In response to the Government's request, the donors pledged more than \$40 million. A review meeting will be held towards the end of 1995.

21. United Nations agencies and programmes have been active in the Kagera region in order to facilitate the restoration of the basic services destroyed by the refugee influx. Some of the activities pursued are described below.

22. UNDP has provided communication equipment to the Regional and District Commissioner's Office. A project to assist the regional administration in the coordination of the rehabilitation programme was approved.

23. A joint mission was fielded by UNDP, the United Nations Environment Programme (UNEP) and the United Nations Centre for Human Settlements (Habitat) to the Kagera region from 16 to 24 May 1995, as a result of which proposals were made relating to (a) socio-economic development and human settlements, (b) energy problems and (c) water supply and sanitation. Donor funding is being sought for the proposals resulting from the mission.

24. Funds have been provided by UNHCR for rehabilitation and support to refugee-affected areas. This included support for improved forestry practices and improved fuel stoves, which have been introduced to local communities; the rehabilitation of water sources; the drilling of bore holes; and the farming of peat as cooking fuel and the use of papyrus as an alternative construction material, which have been implemented to protect wood resources. Furthermore, local schools and the Kigoma stadium, which were damaged during their temporary use as refugee accommodation, have been repaired. Support has been provided to the police force in the Kagera region in the form of vehicles, incentives, telecommunication equipment, accommodation, office equipment and buildings, training and operational costs.

25. UNICEF has provided kits composed of supplementary drugs, and medical equipment to hospitals and health centres in the districts hosting refugees.

26. Funds have been provided by IFAD to a project focusing on environmental conservation and rehabilitation, and on the rehabilitation of the physical infrastructure and support for the local government.

27. WFP has provided 2,000 tons of food to the local population affected by the influx of refugees. Within the context of the Rwanda/Burundi regional project, the United Republic of Tanzania plays a major role as a transit country for commodities along the southern corridor. This corridor is a major artery for humanitarian assistance to the refugee settlements not only in the United Republic of Tanzania, but also to those situated in eastern Zaire. WFP relief commodities are largely transported by the Tanzania Railway Cooperation (TRC). Assistance will be provided to increase the capacity of TRC.

28. A mission has been fielded by FAO to prepare agricultural development proposals in the refugee-affected districts of the Kagera region. A report

containing proposals and funding requirements is being finalized and will be presented to donors.

29. WHO has sent two epidemiologists to conduct studies.

VI. REPUBLIC OF ZAIRE

30. As of August 1995, there were some 1.1 million refugees in camps in and around Goma in northern Kivu, and Uvira in southern Kivu. It is estimated that the refugees make up more than 30 per cent of the people living in the two Kivu provinces. Such a high proportion of refugees has frequently led to tension and conflict with the local population. In addition, elements of the former Rwandan army and militia who have not been disarmed have contributed to the high level of insecurity along the borders. Their presence is a threat to the people and their property, particularly as they do not receive humanitarian assistance and have to survive on their own.

31. On 19 August 1995, Zairian authorities forcibly repatriated 181 Rwandan refugees from Goma to Rwanda. By 23 August, more than 15,000 Rwandan and Burundian refugees had been expelled. All 11 camps, with an appropriate population of 140,000 refugees, run by UNHCR in Zaire's Uvira area, were emptied after refugees fled into the surrounding hills to escape forced repatriation, thus deepening the ongoing refugee crisis in eastern Zaire. On 23 August, the Security Council called on Zaire, in spite of considerable difficulties, to host the refugees and, taking into account the important contribution Zaire had already made concerning the refugees, to stand by its humanitarian obligations and stop forcible repatriations. A day later, Zaire stopped the forced expulsion of refugees, thereby considerably easing the situation. The Secretary-General requested the United Nations High Commissioner for Refugees to undertake a mission to the region to engage in urgent discussions with the Government of Zaire and neighbouring States with a view to resolving the refugee situation.

32. Beyond the humanitarian crisis resulting from the flood of refugees, an environmental crisis is threatening the ecological balance in eastern Zaire. The environmental problems are especially acute in the Virunga National Park, a World Heritage site that is rich in rare species of mammals and birds. It is situated within walking distance of several refugee camps. It is estimated that 30,000 refugees forage in the Park daily, emerging with loads of wood for fuel and shelter.

33. Owing to the severity of the refugee situation, the international community has been focusing its assistance on covering the humanitarian needs of the refugees. However, whenever possible, efforts have been made to assist the local population and to protect the environment.

34. Assistance rendered by United Nations agencies and programmes included the following measures. As a follow-up to the Bujumbura Plan of Action of February 1995, UNDP is responsible for the coordination of an inter-agency mission, which will visit the Kivu region in the autumn of 1995 to (a) finalize the assessment of the impact of the refugees and other displaced persons on

/...

local communities; (b) define the needs and propose priorities in the rehabilitation of the affected populations and areas; (c) estimate costs associated with this rehabilitation; and (d) help formulate an integrated programme to address the negative effects, already identified and attributed to the presence of the refugees in the Kivu provinces. Those effects are: (a) deforestation and poaching for food and fuel and trading by the refugees; (b) serious deterioration and saturation of major facilities, roads, airports, housing, schools and hospitals and dispensary facilities; (c) crowding out and disorganization of the health facilities; (d) degradation of the educational system; (e) drastic decrease in productivity in agriculture, livestock and fishing, causing shortages; (f) energy shortages; (g) water misuse and pollution, and sanitation problems; (h) insecurity of persons and their belongings; (i) delays in the reorganization and decentralization of the participation process in public decision-making.

35. Efforts have been made by UNHCR to diminish the illegal cutting of trees in the Virunga National Park and on private lands throughout eastern Zaire. In order to counter the damage to forest resources, funds have been made available for the supply and transportation of firewood to camps in eastern Zaire. In addition, several forest reserves have been identified that could be safely used for the supply of fuelwood. It is anticipated that the production of wood stoves will reduce the amount of firewood required by the refugees for cooking purposes.

36. Although a number of water systems have been established, efforts to increase the storage and distribution capacity will continue as the present supply is below UNHCR standards. Water supply and purification activities undertaken in Goma benefit not only refugees but are extended to the local population as well. In Bukavu, the drinking water system that was used to supply the refugee sites in the region is being rehabilitated so that it benefits not only refugees but also the local population. Health programmes for refugees also cover the needs of the local population when no alternative facilities are available. Sanitation assistance is given to local hospitals and schools.

37. Funds have been provided by UNICEF for vaccination programmes for the population of southern Kivu, water and sanitation rehabilitation, assistance to affected schools, assistance to local unaccompanied children, and drugs to Zairian health structures.

38. The strategic roads that had already been deteriorating before the influx of refugees into southern and northern Kivu have been rehabilitated by WFP to facilitate the transportation of people and goods for humanitarian purposes.

39. Since 1993, an emergency cattle vaccination programme (in northern and southern Kivu) has been carried out by FAO.

40. Funds have been provided by the United Nations Educational, Scientific and Cultural Organization (UNESCO) for a protection programme in the Virunga National Park and a radio broadcasting programme aimed at spreading messages of peace.

41. An epidemiological surveillance system for the Great Lakes region has been established by WHO and a sanitation officer has been fielded.

VII. CONTRIBUTIONS BY MEMBER STATES

42. As General Assembly resolution 49/24 focuses on the assistance rendered by the international community with a view to facilitating the restoration of the basic services destroyed in the countries receiving refugees from Rwanda, to the extent possible, the present section covers only that assistance. Information related to assistance provided for the refugees is found in the report submitted pursuant to General Assembly resolution 49/23. The following Member States have submitted information on special assistance to countries receiving refugees from Rwanda, in accordance with General Assembly resolution 49/24.

43. In 1994, the Government of Finland contributed 1.6 million markkaa through the United Nations for Burundi and 2.5 million Fmk through UNICEF and Médecins sans frontières for Zaire.

44. Since July 1994, the Government of Germany has contributed emergency aid for Rwanda refugees in the amount of 62 million deutsche mark for both Zaire and the United Republic of Tanzania. It has assisted in drinking water treatment and distribution, and in the construction of latrines. This aid has also benefited the local population. Specifically, a DM 30 million programme was launched to eliminate refugee-caused damage in the Kivu area. The programme included measures designed to protect the environment and natural resources, such as reforestation and the introduction of a concept to protect the Kahuzi-Biega and Virunga National Parks, and to rehabilitate the Goma-Bukavu road.

45. For the United Republic of Tanzania, the Government of Germany contributed DM 7.5 million to refugee camps, of which DM 5 million was for the rehabilitation of water supply systems in the camps and the surrounding areas.

46. Through the International Peace Cooperation Corps, the Government of Japan has provided to Zaire medical equipment for the Goma General Hospital, laboratory equipment for the AMI-Kivu Laboratory, scholastic materials for eight primary schools, trees for reforestation and vehicles for the AMI-Kivu Laboratory and the Centre of Research in Natural Science. The contribution amounted to 31.7 million yen. In addition, it dispatched volcanologists in late 1994 to observe Mount Nyiragongo in the Goma area which was threatening to explode. A contribution of 3.5 million yen was made to the Volcanic Laboratory in Goma. For the United Republic of Tanzania, supplies of canned fish were donated to the local population seriously affected by the flow of refugees.

47. The Government of the United Kingdom of Great Britain and Northern Ireland has taken into account environmental and economic concerns of affected populations in Zaire, the United Republic of Tanzania, Uganda and Burundi in determining support to non-governmental organizations and United Nations agencies administering humanitarian aid to the refugees. In the United Republic of Tanzania, it provided 100,000 pounds to buy beans for the refugee camps from Tanzanian wholesalers, and began to implement a project, with Help Age

International, at a cost of 100,000 pounds, to provide care for older and disabled people in Kiragwe in the Kagera district.

VIII. CONCLUDING OBSERVATIONS

48. Despite the considerable progress made in Rwanda in rehabilitating the country and improving its security, the latest forced expulsion of Rwandan and Burundian refugees from Zaire demonstrates that the crisis, which engulfed the Great Lakes region for more than a year, continues. The urgent need for more vigorous and concerted action by the international community to assist in stabilizing the region is obvious.

49. The international community, during the period under review, has extended massive assistance to more than 2 million people affected by the crisis in Rwanda. Whereas the focus has been on the provision of humanitarian assistance to those people, the countries receiving the refugees, despite their limited resources, have made substantial contributions by accepting the refugees and assisting in catering to their essential needs, while experiencing rising social tension and suffering nearly irreparable environmental degradation, notably in the United Republic of Tanzania and Zaire.

50. The international community will have to lend its strong support through assistance to countries of asylum to repair infrastructural and environmental damage and through support to countries of origin towards repatriation, rehabilitation and reconstruction. The commitment of, and the financial support from, the international community will be indispensable. But there will also be a need for sustained political pressure on all countries in the region to honour their commitments in agreeing to a strategy of accelerated, organized and voluntary return and subsequent reintegration.
